

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LARRY WILLIAM CORTINAS,

Plaintiff,

v.

JALLA SOLTANIAN, et al.,

Defendants.

No. 2:20-cv-1071 CKD P

ORDER and FINDINGS AND
RECOMMENDATIONS

Plaintiff is a state prisoner proceeding pro se. Plaintiff's complaint was docketed with the court on May 27, 2020. The court's own records reveal that on the same day plaintiff filed a complaint containing identical allegations. See Cortinas v. Soltanian, et al., Case No. 2:20-cv-1067 EFB (E.D. Cal.).¹ Due to the duplicative nature of the present action, the court will recommend that the complaint be dismissed.

Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff's motion to proceed in forma pauperis (ECF No. 2) is denied as moot.
2. The Clerk of the Court randomly assign this matter to a district court judge.

IT IS FURTHER RECOMMENDED that this action be dismissed without prejudice as duplicative. See Fed. R. Civ. P. 41(b).

¹ A court may take judicial notice of court records. See MGIC Indem. Co. v. Weisman, 803 F.2d 500, 505 (9th Cir. 1986); United States v. Wilson, 631 F.2d 118, 119 (9th Cir. 1980).

1 These findings and recommendations are submitted to the District Judge assigned to this
2 case pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within thirty days after being served
3 with these findings and recommendations, plaintiff may file written objections with the court.
4 The document should be captioned “Objections to Magistrate Judge’s Findings and
5 Recommendations.” Plaintiff is advised that failure to file objections within the specified time
6 may waive the right to appeal the District Court’s order. Martinez v. Ylst, 951 F.2d 1153 (9th
7 Cir. 1991).

8 Dated: June 1, 2020



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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